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Attorneys for Plaintiffs
 JAREK MOLSKI
 and DISABILITY RIGHTS
 ENFORCEMENT, EDUCATION,
 SERVICES: HELPING YOU
 HELP OTHERS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

JAREK MOLSKI, an individual; and
 DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION, SERVICES:HELPING
 YOU HELP OTHERS, a California public
 benefit corporation,
 Plaintiffs,
 v.
 KATY'S PLACE; ARICAN, a California
 Limited Partnership,
 Defendant.

CASE NO. C04-4382 RS

**STIPULATION OF CONDITIONAL
 DISMISSAL AND ~~PROPOSED~~ ORDER
 THEREON**

Plaintiffs JAREK MOLSKI, an individual; and DISABILITY RIGHTS
 ENFORCEMENT, EDUCATION SERVICES: HELPING YOU HELP OTHERS, a
 California public benefit corporation, through their undersigned counsel, and defendants
 KATY'S PLACE; ARICAN, a California Limited Partnership, through their undersigned
 counsel, stipulate to the conditional dismissal of this action in its entirety with prejudice
 pursuant to Fed.R.Civ.P.41(a)(1) to the right, upon good cause shown within 30 days, to
 reopen this action if settlement is not consummated. Outside of the terms of the Settlement
 Agreement and General Release ("Agreement"), each party is to bear its own costs and

STIPULATION OF CONDITIONAL DISMISSAL AND ~~PROPOSED~~ ORDER THEREON

attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokkonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1) to the right, upon good cause shown within 30 days, to reopen this action if settlement is not consummated.

This stipulation may be executed in counterparts, all of which together shall constitute one original document.

Dated: June 6, 2006

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

By: /s/
Julia M. Adams
Attorneys for JAREK MOLSKI and
DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES:HELPING YOU HELP
OTHERS

Dated: June 6, 2006

DeVRIES LAW GROUP

By: /s/
Daniel J. DeVries
Attorneys for Defendant KATY'S PLACE;
ARICAN, a California Limited Partnership

ORDER

IT IS SO ORDERED.

Dated: June 6, 2006


Hon. Richard Seeborg
United States Magistrate Judge